

November 3, 2003

Federal Communication Commission
Washington DC 20554

Ref: WT Docket No. 03-187 / Migrant Birds

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Federal Communications Commission
Office of the Secretary

Dear Ms. Wypijewski,

As the Federal Communication Commission (FCC) has a Government to Government relationship with Indian Tribes, the Eastern Band of Cherokee Indians Tribal Historic Preservation Office (EBCI THPO) will address concerns of migratory songbirds being limited to the migration pattern due to cell towers. The Notice of Inquiry (NOI) sent out on August 20, 2003 has had a great interest as we review cell towers.

As the THPO shows concern towards the song birds that migrated to our area we will address this issue on a cultural basis. Songbirds have always been recognized by the EBCI. The elders within the community can tell exactly what will be occurring with the song of the bird visiting and this then passed down to a younger generation. The Bird Clan of the EBCI Seven Clans are kept and recognized from one generation to the next. These are just a few reasons why FCC should develop methods to save the loss of millions of songbirds.

The morning and evening brings many songbirds to our unique and vital region and the EBCI's wish to continue to listen to the birds. There are few places left that a small bird has a place to have all resources for survival. The EBCI THPO has a great concern for the Brown Thrush, Chickadee, Snowbird, Wren, Robin, Red Birds and Blue Jays, along with several other birds not listed. It will be a sad day when the Eastern Band of Cherokee Indians Bird Clan will only be able to tell the story of the bird and not hear these special species known to this region.

As cell towers continue to be built and constructed no more than a few feet from each other the FCC needs to address issues such as redesigning, collaborative efforts towards co-locating companies on one tower, improving on the system that migratory birds do not become extinct, and the lands do not become over populated with cell tower.

We are concerned with the migratory songbirds becoming extinct; the Cherokee people have a cultural and spiritual connection with the knowledge of birds and the powers that they hold for the environment and humans. Although the hummingbird does not sing loud enough for the human to recognize, the EBCI have a great concern for losing this bird as well.

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The EBCI THPO will make a recommendation and/or request that FCC continues to address the loss of songbirds and make every effort to correct the measures needed to keep all birds from becoming extinct due to the unknown effects of cell towers to migratory songbirds. The large migration that occurs from the south to the north and vice versa is of importance. The excessive loss is being noted in this NOI, and at this time the EBCI would like to recognize that the FCC is taking a stand on this issue and we appreciate the efforts.

Sincerely,

Lora Kay Oxendine-Taylor